

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

PRESBY ENVIRONMENTAL, INC.)
)
 V.) CASE NO. 13-CV-355-LM
)
 ADVANCED DRAINAGE SYSTEMS, INC.)

**DEFENDANT'S MOTION IN LIMINE:
TO EXCLUDE EVIDENCE AND ARGUMENT RELATING
TO THE DECEMBER 1995 PATENT LAWSUIT AND
SUBSEQUENT APPEAL BETWEEN HENRY CAOUETTE,
GEO-FLOW, INC., AND PRESBY ENVIRONMENTAL,
INC.**

Pursuant to Federal Rules of Evidence 401, 402, and 403, Defendant Advanced Drainage Systems, Inc. (“Defendant”) hereby moves this Court for an Order in limine excluding all evidence and argument relating to the December 1995 patent infringement action and subsequent appeal between Henry Caouette, GEO-Flow, Inc., and Presby Environmental, Inc. (“Plaintiff”). The prior patent litigation is not relevant to the issues at trial, is substantially more prejudicial than probative, will mislead and confuse the jury, and is offered to prove a false statement of law and fact.

A Memorandum in Support is attached.

Respectfully submitted,

ADVANCED DRAINAGE SYSTEMS, INC.

By their Attorneys
RANSMEIER & SPELLMAN
PROFESSIONAL CORPORATION

Dated: September 22, 2014

By: /s/ Daniel J. Mullen
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing filed through the ECF system will be sent electronically to counsel of record for all parties who are registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants, if any.

/s/ Daniel J. Mullen

Dated: September 22, 2014

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